



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,835	12/21/2004	Dietrich Bertram	DE 020160	3621

24737 7590 11/27/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

RIELLEY, ELIZABETH A

ART UNIT	PAPER NUMBER
----------	--------------

2879

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

5

Office Action Summary	Application No. 10/518,835	Applicant(s) BERTRAM ET AL.	
	Examiner Elizabeth A. Rielley	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendment filed 8/17/06 has been entered and considered by the Examiner. Claims 3 and 4 have been canceled. Currently, claims 1, 2, and 5-7 are pending in the instant application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 5-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Suni et al (US 4776671) in view of Yamazaki et al (US 6641933).

In regard to claims 1 and 7, Suni et al ('671) teach a method of manufacturing a luminescent device (figure 1) comprising forming substrate (10: column 6 lines 20-31), forming a porous layer that borders on said substrate (2; column 3 lines 56-65), forming a laminated body that borders on the porous layer (6, 11b, 16, etc; column 6 lines 20-34), with a colored material being at least partially present in the pores of the porous layer (3; column 4 lines 33-44), wherein the porous layer is segmented and comprising different shapes (see figure 1; column 4 lines 33-44). Suni et al ('671) are silent regarding the limitations of the laminated body comprising at least a first electrode an electroluminescent layer and a second electrode; and the colored material being deposited by ink jet printing. Yamazaki et al ('993) teach a luminescent device wherein a the laminated body comprises at least a first electrode (704; column 20

Art Unit: 2879

line s22-33) an electroluminescent layer (703) and a second electrode (702) in order to have the device exhibit a larger viewing angle (column 1 lines 20-29) and the use of ink jet printing in depositing colored material into a porous layer (708; column 20 lines 22-33) in order to form the films (column 20 lines 22-32). Hence, it would have been obvious at the time of the invention to one of ordinary skill in the art to combine the laminated body of Yamazaki and method of depositing ink with the luminescent device of Suni. Motivation to combine would be to have the device exhibit a larger viewing angle and to form films.

In regard to claim 2, Suni et al ('671) teach the porous layer contains at least two colored materials (abstract).

In regard to claim 5, Suni et al ('671) teach the segments of the porous layer take the form of stripes and/or pixels (see figure 1).

In regard to claim 6, Suni et al ('671) teach the colored material is an ink (column 3 lines 10-32)

In regard to claim 7, Yamazaki et al ('933) teach a method of manufacturing an electroluminescent device (figure 7) which comprises a substrate (706), a segmented porous layer (708; see argument above; see figure 7) that borders on said substrate (706), a laminated body that borders on said porous layer and that is composed of at least a first electrode (704), an electroluminescent layer (703) and a second electrode (702), with a colored material being at least partially present in the pores of the porous layer (708; column 20 lines 22-33), characterized in that the colored material is introduced into the porous layer (707) by means of ink jet printing (column 20 lines 22-32). Yamazaki et al ('933) are silent regarding the limitation of the segments of the porous layer have different shapes. In the same field of

Art Unit: 2879

endeavor, Suni et al ('671) teach filter for a luminescent device (figure 1) comprising a porous layer (2; column 3 lines 56-65) with colored material being at least partially present on the pores of the porous layer (3) and segments of a porous layer have different shapes (see figure 1; column 4 lines 33-44) in order to increase the precision of the device (column 1 lines 10-13). Hence, it would have been obvious at the time of the invention to one of ordinary skill in the art to incorporate the porous layer characteristics of Suni et al ('671) with the light emitting device of Yamazaki et al ('933) in order to increase the precision of the device.

Response to Arguments

Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

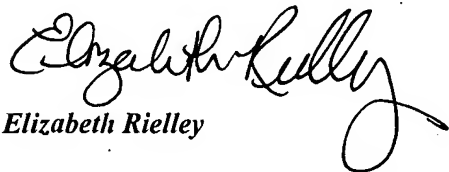
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available

Art Unit: 2879

through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Elizabeth Rielley

Examiner

Art Unit 2879


MARICELI SANTIAGO
PRIMARY EXAMINER